

18. **ISSUE: HENDERSHOTT'S DECISIONS RELATING TO OVERTIME AND USE
OF COUNTY RESOURCES; FAILURE TO ADEQUATELY SUPPORT PATROL
PERSONNEL – SUBJECT: HENDERSHOTT**
(Munnell Memo p. 38)

Chief Deputy David Hendershott

H13A. Allegedly, Chief Deputy David Hendershott has displayed a pattern of inequitable authorization of overtime for MCSO Personnel, authorizing overtime for some departments or functions, but not others, including Patrol.

H13B. Allegedly, Chief Deputy David Hendershott authorized overtime for Sgt. Barry Hamill and others to review emails relating to Chicanos por la Causa, in connection with the investigation of Supervisor Wilcox.

H13C. Allegedly, Chief Deputy David Hendershott authorized overtime and/or inappropriate compensation for a Sergeant to drive him around.

H13D. Allegedly, Chief Deputy David Hendershott authorized overtime or compensation for personnel to pick up private attorney Mark Goldman by MCSO helicopter, and be flown to the gun range to fire machine guns.

MUNNELL'S WRITTEN ACCOUNT

Hendershott's failure to adequately support the men and women of patrol

The most egregious example of David Hendershott's neglect of the of the dedicated men and women assigned to patrol is the prohibition on overtime. Although the public would expect that a responsible overtime budget would be primarily directed towards first line Deputies and detention Officers, it is not. In fact, overtime has been prohibited in both the Custody Bureaus and the Patrol Bureau. At Hendershott's direction, any overtime that occurs in patrol must be justified as an emergency situation and the shift supervisor must write a memorandum documenting the overtime.

On the contrary, although most professional law enforcement agencies would not authorize overtime for white-collar criminal investigations such as the MACE unless there were exigent circumstances, Hendershott has clearly provided Detectives related to these cases an unlimited overtime budget. For example, during the pay period ending January 24, 2010. Sergeant Barry Hamill was paid \$3,721.55 in overtime alone. The reason for his overtime, he was tasked with reviewing emails pertinent to the Chicanos Por La Causa investigation involving Maricopa County Board Member Mary Rose Wilcox.

Although Sheriff's records often would indicate that a large amount of overtime was charged to my Patrol Bureau during each pay period, I found the records to be incorrect. I finally began keeping a separate record of actual overtime accrued by patrol. On many occasions, Hendershott would question me as to why patrol overtime was so high, and I would then provide my own records for Hendershott that would correctly indicate the non-patrol assignment where the employee truly worked. These were always specialty units, such investigations, human smuggling or animal cruelty.

MCSO Investigation No. M081710, Principals: Hendershott, Black and Fox
Report of Administrative Investigation by PCSO
April 11, 2011

I recently conducted a staffing study for sworn Deputies within the Sheriff's Office. As I suspected, the Patrol Bureau has the lowest staffing ratio for sworn Deputies in the entire office. Since my assignment as the Patrol Bureau Commander in July of 2007, there has been a routine transfer of personnel from patrol into specialty assignments without regard to patrol district staffing ratios or even discussing potential transfers with me.

Under Chief Deputy Hendershott, the mandated responsibilities of the Patrol Bureau are not a priority and the bureau is simply used as a labor pool to provide Deputies for his special interests and other special assignments. At a time when I have squads that utilize Deputy Sheriff's as acting supervisors on patrol squads, Chief Hendershott has assigned a Sergeant with the primary responsibility of driving him around. For obvious reasons, this lack of personnel and proper supervision has negatively impacted the safety of our Deputies and the public.

Another example of the absolute disregard for the proper use of office resources occurred in 2008. Due to budget issues, although overtime was restricted, purchases were limited, and there were shortages of ammunition for office employees, David Hendershott arranged for Attorney Mark Goldman to be picked up by the Sheriff's Helicopter and flown to the Sheriff's Range to fire machine guns all at County expense. (It should be noted that Andrew Thomas named Goldman a Special Deputy County Attorney in 2005 after serving as his campaign manager in 2004.

WITNESSES LISTED BY MUNNELL

18A, B and C

Executive Chief Loretta Barkell	Oversaw overtime budget.
Sergeant Rich Johnson	Lead Mace Supervisor
Sergeant Barry Hamill	Worked excessive hours on Wilcox investigation
Sgt. Jim Kempfer	driver for Hendershott
Deputy Doug Madison	driver for Hendershott

18D

Executive Chief Loretta Barkell	Finance, Munnell advised of matter
Deputy Chief Dave Trombi	Advised Munnell of the incident

NARRATIVE SUMMARY

Munnell alleges that Hendershott pays overtime for some departments, but not patrol. Sgt. Hamill was paid \$3721.55 in overtime alone during the pay period ending 1/24/10, for reviewing emails pertinent to the Chicanos Por La Causa investigation involving Mary Rose Wilcox. Munnell claims Hendershott has transferred personnel from patrol to specialty assignments without discussion with Munnell or regard to public safety. Munnell stated that Hendershott pays a Sergeant for driving him around and also paid for Attorney Mark Goldman to be picked up by Sheriff's Helicopter and flown to the Sheriff's Range to fire machine guns at County expense.

DOCUMENTARY EVIDENCE

Exhibit U2. December 2009 Ledger re: O.T. for Criminal Internal Affairs & Organizational Development

This document is a calendar for December, 2009, which lists the amount of overtime expended by Internal Affairs personnel reviewing the emails and/or other documents from Chicanos Por La Causa, in the pay period from 12/15/09 to 1/2/10.

Overtime Hours Per Day		Overtime Hours Per Employee	
12/15/09	67.5	Barry Hamill	136
12/16/09	87	Frank McWilliams	120
12/17/09	78	Monty Callahan	94
12/18/09	83	Isaac Perez	36
12/19/09	85	Freddy Aldorasi	73
12/20/09	44	Daniel Beck	110
12/21/09	78	Ann Hamill	186
12/22/09	76	Corina Griffin	168
12/23/09	76	Robert Jones	192
12/24/09	42	Rafael Zamora	165.5
12/25/09	21		
12/26/09	79		
12/27/09	58		
12/28/09	86		
12/29/09	86		
12/30/09	86		
12/31/09	52		
1/1/10	36		
1/2/10	60		
TOTAL HOURS	1280.5		

Assuming a conservative figure of \$50.00 per hour overtime, the gross cost of overtime on this project would have been \$64,025.

Exhibit Y1. MACE Personnel – Overtime Hours 2007-2010 (Bates AI0004857-4877)

The investigative team requested documentation relating to overtime incurred by members of MACE from 2007 through 2010. The documentation appears to have covered 18 employees, and the person who compiled the list, Holly Moore at MCSO, acknowledged in a November 4, 2010 email to Karen Andrews that she had identified these individuals from consulting a person in IA who "tried" to remember who had come and gone from the group. Moore doubted that the information was 100% accurate.

Our investigative team analyzed the documentation provided, which reflects that the overtime costs were \$209,122.19 in 2007, \$6,539.36 in 2008, \$39,158.30 in 2009, and \$11,308.07 in 2010. Based on information we have received from other sources, including the overtime incurred on reviewing Chicanos Por La Causa emails by MACE staff in December of 2009, we believe that the documentation provided probably underestimates the amount of overtime paid to MACE in this time frame. What follows is a table prepared on the basis of the documentation provided.

Employee	2007	2008	2009	2010
Abrahamson, Timothy			\$3,996.87	\$674.22
Almanza, Gabriel			\$5,348.70	
Anderson, Benjamin	\$27,026.96			
Armer, Benjamin	\$28,776.05	\$979.02	\$3,403.26	
Beeks, Douglas				\$933.53
Elam, Matthew			\$3,210.09	\$389.10
Halverson, Jonathan	\$2,092.25	\$3,816.97	\$7,113.11	\$2,902.20
Johnson, Boyd	\$13,173.47		\$4,790.21	\$1,923.09
Kelly Jr., John			\$2,336.72	\$463.06
Lindquist, John				\$658.55
Luth, Brandon	\$42,521.93	\$1,643.37	\$3,539.54	
Owens, Beverly	\$43,122.04			
Pepe, George	\$32,660.58			
Rodarte, Anthony	\$9,228.36			
Russ, Robert			\$1,651.05	
Simonson, Robert			\$1,548.00	\$3,364.32
Tennyson Jr., David			\$2,219.75	
Willette, Gary	\$10,520.55			
TOTALS	\$209,122.19	\$6,539.36	\$39,157.30	\$11,308.07

WITNESS ACCOUNTS

Frank Munnell

Inequitable overtime authorized by Hendershott. Munnell considered this to be a "background" issue, and believed that MACE used RICO to possibly pay for overtime. His point was that while there were units, including MACE, human smuggling or animal cruelty, that tend to spend outside their budgets in overtime, Patrol was "totally restricted" and Hendershott would say in Staff that he would want a memo if a Sergeant in Patrol had any overtime. Munnell's point is that overtime money should be spent on "first line guys," i.e., patrol personnel having contact with the public. (p. 57, Exhibit II 28b)

Hendershott's use of a chauffeur. According to Munnell, Hendershott had a driver for a year or two, Sgt. Jim Kempfer, who was paid overtime on occasions. According to Munnell, Hendershott did not need someone to drive him around, rather "he just wanted

1 someone to drive him." (p. 69, Exhibit II 28b) Subsequently, Deputy Doug Matteson
2 was driving Hendershott around, taking him to doctor's appointments, and functioning,
3 according to Munnell, like a "full-time valet," until Hendershott went out on leave. (p. 69,
4 Exhibit II 28b) Matteson was described by Munnell as a "good guy," who was very
5 loyal to both Larry Black and Joel Fox, and was a former "hockey guy." (p. 70, Exhibit II
6 28b)

7
8 Further, according to Munnell, Hendershott was having financial issues, and his home
9 was going into foreclosure. Reportedly, Kempfer told other individuals on the 19th Floor
10 that he was driving Hendershott around, looking at other houses that Hendershott could
11 rent. Munnell did not know whether there may have been threats against Hendershott,
12 which prompted the need for protection. He did not know of any real security need. (p.
13 70, Exhibit II 28b)

14 Mark Goldman, helicopter ride, firing machine guns at range. According to Munnell,
15 Mark Goldman is an attorney and prominent Fountain Hills political supporter of Sheriff
16 Arpaio and then County Attorney Andrew Thomas. Goldman is very close with Sheriff
17 Arpaio, and was Thomas' campaign manager in 2004 and/or 2008. After the last
18 election in 2008, Goldman was made a Special Deputy County Attorney. Shortly after
19 the Sheriff's Office had a significant budget issue, and the department was getting
20 "hammered by the judges" for not getting inmates to court that week, MCSO had to fly
21 Mark Goldman out to the range, according to information that Munnell had obtained
22 from Dave Trombi. Basically, Munnell understood, MCSO had flown Goldman out to
23 the range to shoot machine guns.

24 25 26 **Dave Trombi**

27
28 Trombi acknowledged that he took Mark Goldman and several other attorneys out to the
29 range via the MCSO helicopter, Fox 1. He denied recollection as to who the other two
30 attorneys were, and they may not have been attorneys, but rather acquaintances of
31 Goldman. Trombi said that he was going out to the range that day, and that Mark
32 Goldman was on County Attorney staff. The SWAT Team was going to be doing some
33 skid training, and Fox 1 was going to be heading out to the range. He believes that he
34 had Goldman and Goldman's two companions meet him at the hanger at 7th Street,
35 north of Deer Valley, and they flew out, while Trombi drove to the range. When asked
36 why they were flown to the range, Trombi's response was, "I think Goldman wanted to
37 go shooting." He also added that Goldman wanted to see SWAT training operations.
38 When asked why he would have an interest in that, Trombi's response was, "I have no
39 idea." (p. 54, Exhibit II 41) When asked if he had received instruction to ferry Goldman
40 to the range, Trombi's response was as follows.

41
42 A: Yes. Hendershott has asked me if we were going to be going out to the
43 range and doing anything with the helicopter and when I started looking at our
44 schedule, because I don't think it was immediate, in other words, I don't believe
45 Dave Hendershott said hey I need you to go do this, it was if you get this

1 opportunity and you guys go out there give this guy Mark Goldman a call and see,
2 to take out there with you and go do this. (p. 54, Exhibit II41)

3
4 Trombi denied having any knowledge as to whether there was a professional reason
5 why Goldman wanted to see some sort of demonstration out at the range. When asked
6 if they were flown to the range to fire machine guns, the following exchange occurred in
7 the interview.

8
9 A: You know I don't know if, I don't recall exactly, but I would be surprised
10 if they didn't fire weapons.

11
12 Q: Alright, what possible relevance would this have had from a business
13 standpoint to Goldman's connection with the county?

14
15 A: I don't know. If I may add?

16
17 Q: Sure.

18
19 A: It's not uncommon that we would facilitate demonstrations of the SWAT
20 team tactics to people, and I don't mean to keep bringing up hockey, and I'm
21 certainly not trying to find a connection to you and I but twice now we have been
22 asked by the Phoenix Coyotes to take them, take the Coyotes players and bring
23 them out to do SWAT training where they would fire you know weapons systems
24 of ours for SWAT. They do scenarios with us and this is all stuff that would end
25 up being broadcast at the Phoenix Coyote games. The group that did, the Coyotes
26 that did things with SWAT was one group and there was another group that went
27 to Phoenix Fire and you know rode on the fire trucks and stuff like that. So you
28 know it's not uncommon for us to accommodate requests for things of that nature.
29 (p. 55, Exhibit II41)

30
31 Trombi denied knowing whether Goldman is or has been a contributor to Sheriff
32 Arpaio's campaigns, or whether Goldman had ever represented MCSO in any type of
33 litigation or prosecution. He denied that Hendershott had explained who Goldman was
34 or what his purpose was. When asked if Goldman and his companions were there for
35 the purposes of observing SWAT training, or for firing machine guns, Trombi thought
36 that they were there for both reasons. Trombi denied that the training was set up
37 specifically for Goldman.

38
39 **Bruce Tucker**

40
41 Tucker indicated that use of overtime in MACE was issue dependent, and based upon
42 directives from the Chief Deputy. For example, there was a time where he had been
43 instructed to send investigators out to interview all of the east valley city council persons
44 on a weekend or after hours to determine among other things whether Stapley had
45 influence on the path of the freeway in an effort to raise the value of properties in which

1 Stapley had an interest. There were other situations where Hendershott would not
2 authorize overtime.

3
4 **Lyzandra Ovist**

5
6 Six months prior to Hendershott's surgery, Hendershott started having Detective Doug
7 Matteson drive him around, but Ovist understood that was because Hendershott was
8 having problems with his knee. Matteson's duties also included training two new PIOs.

9
10 **Kip Rustenburg**

11
12 Lt. Rustenburg recalled that there was an investigation involving Chicanos por la
13 Causa, where Hendershott made a direct order for IA, MACE and Organizational
14 Development personnel to work around the clock reviewing thousands of emails related
15 to the investigation. Lt. Rustenburg was salaried and started to wonder why she was
16 staying up all night doing the investigation for free, so she made a schedule, rotating
17 some days off, as there were people working 10-12 hours a day, 7 days a week, for
18 weeks at a time. Lt. Rustenburg said that the overtime and man hours dedicated to the
19 review of the emails was "insane." Rustenburg provided the schedule that she
20 prepared of who was working overtime when in connection with the Chicanos por la
21 Causa email review project. Hendershott authorized the overtime.

22
23 **Bill Knight**

24
25 Overtime for MACE. Knight indicated that Hendershott had a pattern of only authorizing
26 overtime for MACE and departments assisting MACE and would not allow other
27 departments to accrue overtime. In general Knight was under the impression that if a
28 case was important to Hendershott, overtime was approved. For example, in the
29 Chicanos por la Causa case, there was virtually unlimited overtime authorized for the
30 review of the massive amounts of emails produced in relation to the investigation.
31 However, Munnell was getting blamed by Hendershott for Patrol's accumulation of
32 overtime, so Munnell started tracking it and found that those accused of having overtime
33 were not working in Patrol when the OT was accumulated.

34
35 Mark Goldman. Knight did not have any information on Mark Goldman being flown
36 around in a MCSO helicopter. Knight had only been in charge of Aviation for a few days
37 at the time of his interview with the investigative team, and was not yet aware of the
38 information maintained in the flight logs, but assumed they would be maintained in
39 accord with FAA regulations.

40
41 **Barry Hamill**

42
43 MACE Overtime. Sgt. Hamill indicated that he was temporarily assigned to MACE, as
44 were several others from Criminal Internal Affairs, Administrative Internal Affairs,
45 Organizational Development Unit and a few liaisons to assist with the investigation

1 involving the Board of Supervisors. Hamill and the others were authorized by
2 Hendershott to work overtime reviewing emails related to Chicanos por la Causa. While
3 Hamill was not positive if the investigation was in relation to Supervisor Wilcox, he
4 indicated that there were 39-42 keywords he and 12 other people were looking for in
5 approximately 120,000 emails.

6
7 During this time, Hamill received over \$12,000 in overtime, at a time where there was
8 no overtime being paid to Homicide and District Detectives. Hamill said that over the
9 course of four pay periods, he was paid \$3200 in overtime on each check, which was
10 interesting to him because once the BOS investigation was complete, Hamill was
11 required to take off for all of his unpaid time, 56 hours of furlough. The mandatory
12 overtime was being worked by 13 persons, so Hamill agreed that 13 people making
13 approximately \$12,000 each, would have amassed approximately \$156,000 in overtime.
14 Hamill later said that the overtime may have been over three pay periods, not two,
15 which would have been \$9600 overtime to each of the 13 people assigned to the
16 matter, totaling \$124,800.

17
18 Mark Goldman. Sgt. Hamill was not aware of Chief Hendershott authorizing overtime
19 for personnel to pick up an attorney, Mark Goldman, by MCSO helicopter to be flown to
20 the gun range to fire machine guns.

21
22 **Sergeant Karla Love**

23
24 MACE Overtime. Sgt. Love indicated that when she worked in IA on the MACE side,
25 Chief Hendershott authorized a great deal of overtime. She said Hendershott would
26 say, "This needs to be done and it needs to be done this weekend," and they "ended up
27 working extreme hours, I mean a lot of hours," without limitation, on MACE
28 investigations. (p. 37, Exhibit II23) Sgt. Love was not involved in the investigation
29 concerning Chicanos por la Causa.

30
31 The number of hours worked caused a great deal of stress for the MACE investigators,
32 including Bruce Tucker, Brandon Luth and Ben Armer, who was transferred to Criminal
33 Investigations upon his own request. In Sgt. Love's opinion, the source of the pressure
34 and tension in MACE was from Chief Hendershott, who implemented unrealistic
35 deadlines and demands on the MACE staff.

36
37 **Loretta Barkell**

38
39 Overtime Use by MCSO. Barkell advises that MCSO has in place a policy of minimal
40 use of overtime, and this policy has been in force since 2007. The County has cut the
41 MCSO overtime budget severely, so there has been a limited amount of overtime
42 available in the budget for a number of years. Chief Hendershott instructed everyone to
43 manage their units in an attempt to avoid overtime. However, MCSO Communications
44 has always had overtime, as has SWAT, and the MACE Unit, which has always had as
45 much overtime as they wanted, according to Barkell. The Computer Crimes group also

1 was allowed to accrue overtime. Chief Hendershott himself authorized the overtime in
2 MACE and Computer Crimes.

3
4 Loretta indicated that there was an enormous amount of overtime expended by MACE
5 in review of emails relating to Chicanos Por La Causa, in connection to the investigation
6 of Supervisor Wilcox. There was also, according to Barkell, a situation where the
7 Sheriff needed security, then eventually Chief Hendershott decided that he would need
8 a driver. The Sergeant, Jim Kempfer, who lives in Scottsdale would drive his County
9 vehicle from Scottsdale and park it in front of Hendershott's home, and then Kempfer
10 would drive Hendershott, in Hendershott's county vehicle, to work. Kempfer was the
11 "special projects guy" on the 19th floor, and was in charge of security in the
12 administrative offices. There were monitors for the video security system, according to
13 Barkell, in Chief Hendershott's office, and these monitors depicted the 18th and 19th
14 floors. According to Barkell, after Hendershott had been placed on leave, Kempfer was
15 assigned to the Lake Patrol, from which he had originally transferred.

16
17 According to Loretta, Hendershott had authorized overtime for personnel to pick up
18 attorney Mark Goldman by helicopter and fly him to the gun range to fire machine guns.
19 According to Barkell, Goldman is a contributor of the Sheriff, and after the 2008
20 elections, an election party was held at Goldman's home in Fountain Hills. She did not
21 know what the costs were for the transportation of Goldman. When she heard about
22 what had happened, she asked for the flight logs, but was told that the helicopter
23 personnel did not keep that kind of information. Barkell later received information from
24 Frank Munnell that Goldman had fired the expensive machine gun with expensive
25 ammo, at \$8.00 a bullet. She was not sure of Frank Munnell's source for this
26 information, but she believes that Munnell spoke to personnel at the range or at
27 Aviation.

28 29 Terry Young

30
31 Overtime, Search Warrants on Chicanos por la Causa. Terry Young's appraisal of the
32 use of overtime to review the emails, on the Chicanos por la Causa matter, was as
33 follows.

34
35 A: Not that I'm aware of. I do believe, and I don't know if I'm confusing,
36 there was two search warrants done, Calence and Chicanos por la Causa, and I
37 don't know which one yielded all of these emails, but I know that there was a
38 ridiculous decision and a ridiculous, on an overtime stint on guys going through
39 these hundreds of thousands of emails. And again, that's a, I mean it's a
40 management decision. It's the Chief Deputy's ability to make those calls, but you
41 know, our budget being what it is, and we can't get guys out to spend time on
42 crimes that have critical evidentiary elements going on with them and we were
43 spending, if you look at the time sheets for that time frame, we were spending
44 tens and tens and tens of thousands of dollars on overtime for guys to stick around
45 and look at these emails. (p. 51, Exhibit II45a)

1
2 He believes that the review of the emails took 12 to 15 individuals anywhere from 20 to
3 40 hours a week overtime for several weeks. (p. 51, Exhibit II45a)

4
5 According to Young, Hendershott wanted all of the IA admin and criminal investigators
6 to stop what they were doing and to assist in the effort, but Young did not permit this.
7 He did allow the admin side investigators to participate, so he told Ken Holmes, the
8 Captain on IA Admin side, that the IA investigators, during their 40 hour week, were to
9 work on their IA cases, and if they wanted to work overtime they could on the Chicanos
10 por la Causa emails. He believes that the total cost for overtime on this particular
11 project easily exceeded \$25,000.

12
13 **David Hendershott**

14
15 Overtime Usage, General. Hendershott's opinion, relating to this allegation, is that use
16 of overtime is at the discretion of management. According to Hendershott, there had
17 been problems with overtime in Detention, Patrol and other areas. As Hendershott put
18 it, "I will tell is this is going to sound really cold, but if Frank's concerned about the
19 overtime in MACE he needs to run for Sheriff, it's not his call." (p. 29, Exhibit II16d) He
20 indicated that, like in Homicide, there have been times where MACE Detectives have
21 worked overtime, but Hendershott claimed that the unit tried their best to hold overtime
22 down. He also indicated that, in the patrol districts, overtime was a symptom of poor
23 management on the part of the supervisors. He discusses this in further detail on p. 30
24 of Exhibit II16d.

25
26 Overtime in MACE re: Chicanos por la Causa. Hendershott indicated that MACE had to
27 go through a lot of documents, and as he put it, there was an "unfathomable amount of
28 paper to go through." Hendershott indicated that everyone had to work around the
29 clock. The Detectives did not want to work overtime, and in fact he suggested that
30 anyone who has worked overtime on a regular basis "gets desperately sick of it, you
31 want to go home, you want to hug the kids." (p. 31, Exhibit II16d) Hendershott
32 acknowledged that it was a management decision about utilization of resources, and did
33 not believe that he "would have changed a thing."

34
35 Sergeant Driving Hendershott Around. Hendershott explained that a Sergeant was
36 driving him around because there was a potential threat against him, of which Sheriff
37 Arpaio is aware. He did not feel comfortable providing details, but did indicate that it
38 was an ongoing concern. According to Hendershott, the threat still remains, because of
39 this threat he switched out of his car to a bombproof car. He says that the Sheriff was
40 "extra concerned," so Hendershott had the Security Detail Sergeant with him. As he put
41 it, "Frankly, I could care less what Frank thinks about that." (p. 32, Exhibit II16d) When
42 asked how long Hendershott had the Sergeant driving him around, Hendershott
43 suggested it was probably six to eight months. According to Hendershott, it was the
44 Sheriff's idea to have the extra protection.
45

1 Hendershott also acknowledged that he had several medical operations, and the Sheriff
2 was insistent that he get back to work, so Hendershott had, pursuant to the Sheriff's
3 suggestion, have someone drive him around because his hours tended to be very long
4 and he would be fatigued at the end of the day. The Sheriff's primary concern,
5 however, was the threat. Hendershott thought that this took place toward the latter part
6 of 2008 or 2009.

7
8 Transport of Mark Goldman by MCSO Helicopter. According to Hendershott, Mark
9 Goldman was assigned as a special prosecutor for the County Attorney's Office, and
10 volunteered his time. On one occasion Goldman called and asked if he could go out
11 and shoot, and Goldman has not been the only person who has been taken to the range
12 to shoot. There have also been members of the Board of Supervisors. We discussed
13 the matter in further detail, and Hendershott advises that Goldman was a special
14 prosecutor appointed by Andy Thomas. He is, Hendershott says, independently
15 wealthy.

16
17 Hendershott did not know if overtime was authorized to pick Goldman up by MCSO
18 helicopter. He felt, because it was a planned transport, that no overtime should have
19 accrued. According to Hendershott, it was Sheriff Arpaio who told Dave that Goldman
20 wanted a helicopter ride to the range. Hendershott acknowledged that Goldman was
21 not doing anything for the Sheriff's Office as a special prosecutor from which he would
22 have benefited from firing machine guns at the range. Hendershott characterized it as a
23 "citizen's academy experience." (p. 35, Exhibit II16d) He indicated that there was no
24 "training function" connected to his work as a special prosecutor, but rather, it was
25 "strictly a PR thing." When asked if the Sheriff asked Hendershott to set it up because
26 Goldman was a contributor or because Goldman was a special prosecutor, or some
27 other reason, Hendershott's response was as follows.

28
29 A: No, I think Goldman hit the Sheriff up because they both live in Fountain
30 Hills and he hit him up and he just said oh I'd really like to do this and the Sheriff
31 said hey you know Dave, you know take Goldman out he wants to ride in the
32 helicopter and he wants to go shoot at the range, okay so okay I did and there's
33 just nothing wrong with it. (p. 35, Exhibit II16d)

34
35 When asked whether Hendershott had made the arrangements because Goldman was
36 a contributor to Sheriff's campaign, he was a special prosecutor, or for some other
37 reason, Hendershott's response was, "the Sheriff asked me to do it." (p. 36, Exhibit
38 II16d)